

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

In re:)
)
INOFIN INCORPORATED,) CHAPTER 7
) CASE NO. 11-11010-JNF
Debtor.)
)
MARK G. DEGIACOMO, CHAPTER 7)
TRUSTEE OF THE ESTATE OF INOFIN) 1:16-CV-10528-NMG
INCORPORATED,)
Plaintiff) 1:14-CV-10483-NMG
v.)
HOLLAND & KNIGHT, LLP and RICHARD J.)
HINDLIAN,)
Defendant.)
)

**PLAINTIFF'S ASSENTED-TO MOTION TO EXTEND DEADLINE TO
RESPOND TO DEFENDANTS' MOTION TO STRIKE DEPOSITION
TESTIMONY OF MICHAEL J. CUOMO**

Plaintiff Mark G. DeGiacomo, Chapter 7 trustee of the estate of Inofin, Incorporated (the “Trustee”), moves to extend the deadline by which he must respond to Defendants’ Motion to Strike Deposition Testimony of Michael J. Cuomo (the “Motion to Strike”) until July 14, 2016. Counsel for the Defendants has indicated that the Defendants assent to this Motion. As grounds for this Motion, the Trustee states as follows:

1. Defendants filed a Reply brief in support of their Motion for Summary Judgment on June 22, 2016.
2. Concurrently with the filing of their Reply Brief, Defendants filed their Motion to Strike, which seeks to strike the deposition testimony of Michael Cuomo, the President of the debtor Inofin Incorporated, from the summary judgment record.
3. The Trustee intends to file a brief in opposition to the Motion to Strike.

4. Pursuant to LR 7.1(b)(2), the current deadline for the Trustee to file his Opposition to the Motion to Strike is July 6, 2016, immediately following the July fourth holiday weekend. Due to the holiday and other scheduling conflicts of the Trustee's counsel, the Trustee requests that the Court extend the Opposition deadline by eight (8) days to July 14, 2016.

5. The Trustee submits that the relatively short extension of time requested through the present motion will allow his counsel sufficient time to respond to the issues raised in the Defendants' Motion to Strike.

6. Counsel for the Defendants communicated with counsel to the Defendants, who indicated that the Defendants assent to this Motion.

WHEREFORE, Plaintiff Mark G. DeGiacomo, Chapter 7 Trustee of the Estate of Inofin, Incorporated, requests that the Court allow the present Motion and extend the deadline by which he must respond to the Defendants' Motion to Strike Deposition Testimony of Michael J. Cuomo until July 14, 2016.

MARK G. DEGIACOMO, CHAPTER 7
TRUSTEE OF THE ESTATE OF
INOFIN INCORPORATED

By his attorneys,

/s/ James F. Radke
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Dated: June 27, 2016

CERTIFICATE OF SERVICE

I, James F. Radke, do hereby certify that on June 27, 2016, I filed this document through the ECF system which will send the document electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

/s/ James F. Radke

James F. Radke